
REMARKS

This communication is a full and timely response to the non-final Office Action dated May 25, 2004, the period for response being extended through November 25, 2004, by the Petition for Extension of Time filed herewith.

Claims 10 and 12 are objected to because of informalities. The claims are amended to obviate the objection. Withdrawal of the objection is respectfully requested.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as anticipated by Ohtuska (USP 6,404,985). The rejection is respectfully traversed.

Ohtuska (USP 6,404,985) discloses a fundus camera capable of photographing a peripheral part of a fundus as well as a central part of the fundus by changing a presenting position of a fixation mark to direct a visual line of the eye to be inspected. In this apparatus, an alignment index (an exit end of a light guide) is projected onto a cornea along a direction of a photographing optical axis, and alignment of the apparatus in X-, Y- and Z-directions with the eye is performed so that a corneal reflection image of the alignment index (a position thereof changes depending on an alignment state) coincides with an alignment reference position mark on a display screen of a monitor, and thereby the photographing optical axis is directed to a pupil center also at the time of photographing the peripheral part. In other words, an alignment technique of Ohtuska is aimed at directing the photographing optical axis to the pupil center even at the time of photographing parts other than the central part. Thus, the technique of Ohtuska differs from that of the present invention in which a fixation position is guided to a predetermined position.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claims 1 and 9 as amended above. As a result, it is respectfully submitted that claims 1 and 9 are allowable over the applied art at least for the reasons set forth above.

Claims 2-8 depend from claim 1 and include all of the features of claim 1. Claims 10-14 depend from claim 9 and include all of the features of claim 9. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

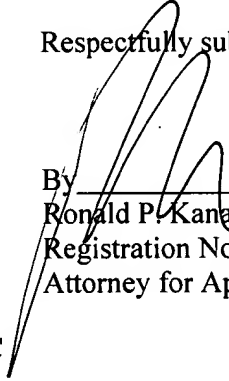
Conclusion

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-14 are allowable, and this application is in condition for allowance. Accordingly, Applicants request favorable reexamination and reconsideration of the application. In the event the Examiner has any comments or suggestions for placing the application in even better form, Applicants request that the Examiner contact the undersigned attorney at the number listed below.

If a fee is due, please charge our Deposit Account No. 18-0013, under Order No. WEN-0007 from which the undersigned is authorized to draw.

Dated: November 24, 2004

Respectfully submitted,

By 

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Enclosures: Petition for Extension of Time (three months)

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In the event additional fees are necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 180013 for any such fees, and applicants hereby petition for any needed extension of time.